

1. The government objects to this motion.
2. This case is set on this Court's November 4, 2020 trial docket.
3. The government indicted Mr. Gouge with Murder in Indian Country on September 9, 2020. The penalty for this offense is life imprisonment.
4. The Court arraigned Mr. Gouge on September 23, 2020.
5. The Court set this case for Pre-Trial Conference on October 14, 2020, a mere 21 days later, and the Court set this case trial on November 4, 2020, allowing the defense only 41 days to prepare for a murder trial.
6. Furthermore, the U.S. Marshals Service is holding Mr. Gouge in the Okmulgee County Jail Annex. There is limited space in the Annex to visit with criminal defendants. Homeland Security Investigations and Immigration Customs Enforcement regularly use the space for immigration detainees and immigration related matters. It is difficult, at best, to see federal clients in the Annex.

7. Since the Initial Appearance, the undersigned counsel has only met with Mr. Gouge one time for approximately 1 hour. That attorney/client interview took place through glass in the non-contact visitation area of the main jail facility. This initial attorney/client interview occurred only after the Okmulgee County Detention Officers agree to transport Mr. Gouge from the Annex to the main jail facility.

8. Mr. Gouge requests the Court continue the Jury Trial date for ninety (90) days.

9. The undersigned needs additional time to review the discovery, and discuss the evidence with Mr. Gouge, discuss the application of the United States Sentencing Guidelines, the statutory punishment for the offense charged, investigate potential defenses, conduct preliminary investigations into the allegations contained in the Indictment, and the undersigned requires additional time to prepare a defense.

10. Mr. Gouge is currently in custody.

11. The defense makes this Motion for the purposes of allowing sufficient time to prepare a proper defense and for continuity of counsel for the Defendant. This Motion is not made for the purposes of delay.

OFFICE OF THE FEDERAL PUBLIC DEFENDER
Julia O'Connell, Federal Public Defender

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CERTIFICATE OF MAILING

I hereby certify that on October 7, 2020, a copy of the foregoing was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

Ben Gifford
Assistant United States Attorney

/s/Robert Scott Williams
Robert S. Williams